

Richmond JOLT Symposium

Description: AI, algorithms, and big data are going to reshape every aspect of how nonprofit legal services deliver help. Software will identify a client's legal issue before they walk into your office. Intake will be transformed into programs auto gathering information from big data sources. Algorithms will push legal service providers (LSPs) to focus on people whose problems fall into a structured model that can be handled quickly. The algorithms will be so accurate that lawyers will seem like an unnecessary expense and Courts will allow paralegals to do more and more of the representation. Bespoke complex attorney driven representation will become a smaller and smaller piece of the LSPs core function. The LSP of the future will focus on non-lawyer legal professionals shepherding cases based on the outputs of an algorithm built by AI and trained on big data.

Presentation Outline

- Where I see AI and A2J Headed
- Currently Possible (Automated/Enhanced Intake)
 - Web Scrapers: Scripts can be written so your case management system grabs public information about a client's case. This can be automated and built into the intake system.
 - What is a web scraper?
 - A web scraper is a computer program that interacts with websites automatically. Examples of web scrapers are search engines like Google.
 - How to "parse" useful information out of the information returned.
 - Examples of web scrapers and parsers in the legal field. (MDExpungement)
 - Example: A new client comes in with a housing case. An enhanced intake system could pull/scrape information from the Court's website and the County's property website to populate all the fields in your CMS with the most up to date information.
 - Identifying Areas to Use This in Your Practice:
 - Find areas in your practice where much of the data you need to collect is already online but may be scattered over multiple websites.
 - Areas where clients may use wrong terminology or may not have the right answer.
 - Areas that are time consuming with lots of objective data fields needed.
 - Areas where this does not work:
 - Areas where the information is not available online yet. i.e. plaintiff in a tort case.
 - Websites that consider their data proprietary.
 - Basic Expert Systems/Algorithms: With some basic branch logic this data can be analyzed to see if information is legally relevant.
 - Example: Client wants to file for criminal record expungement. A scraper as described above could grab information related to that criminal case. An algorithm could then be used to determine if enough time has passed since the case was concluded to request the expungement.

- Identifying Areas to Use This in Your Practice:
 - Objective areas of law are best. Specific timeline requirements, documents which needed to be filed in a specific order, etc.
 - Areas where you have or can scrape the data.
 - Areas where this does not work:
 - Gray areas of law or where a subjective determination has to be made like “threat to the community”.
 - Areas where there are too many exceptions to the rule.
 - Other Legal Issues: Once a scraper is created it can be used to collect the same information for every client.
 - Example: Collecting housing information through scraping the County’s property website is important for a client with an eviction case. Once built you can collect that information on every client regardless of legal matter.
 - This can allow you to find other legal matters your client may also need help with.
 - This process benefits from the economy of scale principle as once a web scraper is built you can run it unlimited times for free.
 - Identifying areas in your legal practice best suited for automated/enhanced intake
 - Find areas of your practice where legal trouble can be identified by online indicators. Pending law suits, unpaid property taxes, tax liens, etc.
 - Run these programs on every client who walks in your office.
- Basic AI
 - After collecting data on all clients across the board and saving it. An AI system can be trained using that data.
 - Limited at first but subject matter experts will identify the data fields that would need to be collected and those fields or indicators for those fields will start to be collected.
 - Identifying areas in your legal practice: Areas where a few telltale signs give a fairly good prediction of specific legal trouble.
 - Example: A housing issue may present itself when there are several soft factors like a drop in the monthly water bill, a landlord with prior bad acts, and a citation for a broken non boarded window.
- Advanced AI
 - The subject matter experts will identify the fields they need to make the tool more accurate and those data fields will start to be collected.
 - This data would be collected on all clients and then compared against clients known not to have that type of issue.
 - Use Case:
 - Significant drop in water bill
 - Landlord has a legal history of sketchy housing practices.
 - House is relisted on rental site before a normal end of lease date.
 - Cell phone activity at the house has dropped.
 - People look up software to determine past living arrangements.
 - Is the person now staying with some identified as a family member?
- Impact
 - Once these tools become accurate enough, LSPs will be able to turn them around and instead of looking at just clients, they will be able to scan the entire city looking for people who match the indicators.
 - Intake:
 - Intake will focus more on finding people rather than waiting for people to come through the door.

- Funding:
 - Funders will notice the jump in people assisted and push for the LSPs to continue down this focus on areas of law the AI is good at identifying.
- Staffing:
 - With a narrowing of what services the LSP provides, structured flows will be put into place to make the processing of the AI cases as smooth as possible.
 - As the work becomes more routine and procedural, it will be done by more and more paralegals with a single attorney as a supervisor.
 - This system will become extremely attractive as LSPs are able to help more people and reduce costs at the same time by replacing non-supervisory attorneys.
 - Court rules may allow for more non attorney representation in certain areas of law.
- Difficult Cases
 - More complex cases will be seen as difficult. It will be much easier to make the argument that helping this one person means not helping 10 other people.
 - There will be less and less capacity to help people whose cases do not fall within the structured AI model.

A Future Look at Legal Service Providers and AI

By Matthew Stubenberg

The way nonprofit legal service providers (LSP) find clients with legal issues is going to dramatically change in the future thanks to artificial intelligence and expert systems. These new AI driven systems will allow for a dramatic increase in the number of clients being helped but also disadvantage those people with legal issues that do not conform to the model.

Currently, LSPs obtain the majority of their clients through people coming to them via walk-ins, a call center, or online intake. Once the client starts the intake process it is largely up to them to identify their legal issue and give accurate facts related to their case. For example, a client may call because they were evicted, an intake system determines if the LSP can help with that eviction case, and the case is passed on to an attorney. The attorney will then treat that case as a unique standalone case. The process is slow, casts a wide net, and most importantly relies far too heavily on the client understanding their own legal needs.

The intake of the future will ask the client for basic personal identifiable information and use automated scrapers to search public and private databases to see if a client has additional legal issues. Some of these databases may be obvious, like searching online court records to identify open cases. However, there are thousands of other data sources which by themselves are not particularly useful but when combined can be powerful. For instance, some cities will allow online public access to a property's water bill. By itself a water bill is not all that useful. However, water usage can identify whether a house is occupied and by how many people. Whether the water bill goes up or down can be an identifier in determining whether a client has been evicted, had a child, or split up with a partner. Combined with other data sources a concrete picture of a client's situation can start to be generated.

Once the system is able to tap into all of these databases, the LSP can build artificial intelligence models based on prior clients. The system will review every eviction case the LSP has ever taken, adding in data from various outside databases, building a profile of what an eviction case looks like. Eventually the AI will be able to identify trends indicating a likelihood of certain legal issues. The system will be legal issue agnostic, allowing it to identify previously unknown legal issues. For example, a client applying for assistance with unemployment benefits may be flagged as having an additional landlord tenant action.

Eventually, these systems will become sufficiently accurate and trusted and will be used to find potential clients who have legal issues but never applied for help with the LSP. The AI system will be able to search everyone in a particular city to see who is about to face eviction. With some additional factors to identify income levels, there will be an endless supply of potential clients identified as having a potential legal issue. In order to trim the list, the LSP will tune the system to find those cases with the highest likelihood of winning, that can be won in the least amount of time.

The reliance on AI intake systems will change the makeup of the LSP's workforce. The LSP will become so good at handling the cases identified as easily winnable, they will develop streamlined internal systems to process these cases. This will turn much of the previously complex legal work into an assembly line with a specific predefined steps. The result will be a heavier reliance on non-attorney legal professionals and non-attorney legal professionals who

will do most of the work. A single attorney may supervise a dozen non-attorney legal professionals. The natural result of this will be a replacing of attorneys with non-attorney legal professionals.

The LSP's transition to AI assisted legal work will allow for more clients to be helped but this will not be good news for everyone. Funders will come to tie the raw number of people helped with the amount of funding. This in connection with the LSP's internal procedures being streamlined to help clients with easy winnable cases will mean clients who have difficult cases will find it difficult to receive legal assistance. To the utilitarian the good will outweigh the bad. This will be a large departure from the mission of most legal service providers today who help the client not because they can be helped easily but because they need help in the first place.